

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

DEC 05 2007

JOYCE A. CATTERSON, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

XIAN LONG YAO,

Defendant - Appellant.

No. 07-10547

D.C. No. CR-07-00043-FMT
District of Guam,
Agana

ORDER

Before: Peter L. Shaw, Appellate Commissioner.

Appellant's notice of appeal contains a request for appointment of new counsel. The request for appointment of new counsel is construed as a motion to be relieved as counsel. So construed, the motion is granted. William L. Gavras, Esq., 208 Route 4, Second Floor, J& R Building, Hagatna, Guam 96910, (671) 472-2302, is relieved as counsel of record. New counsel will be appointed by separate order.

Counsel is reminded that a request to be relieved as counsel of record should be filed as a separate motion with this court. *See* 9th Cir. R. 4-1(c).

The Clerk shall serve a copy of this order by facsimile transmission on Jeanne Quinata, Clerk of Court, District Court of Guam, Office of the Clerk, 4th Floor, United States Courthouse, 520 W. Soledad Avenue, Hagatna, Guam 96910, (FAX: (671) 473-9152), who will locate appointed counsel. The district court shall provide the Clerk of this court with the name and address of appointed counsel by facsimile transmission (FAX: (415) 355-8111) within 14 days of locating counsel.

New counsel shall designate the reporter's transcripts by January 15, 2008. The transcripts are due February 14, 2008. The opening brief and excerpts of record are due March 25, 2008; the answering brief is due April 24, 2008; and the optional reply brief is due within 14 days after service of the answering brief.

The Clerk shall serve this order on former counsel.

The Clerk shall also serve this order on counsel for appellee, who shall serve a copy of the order on appellant and provide proof of such service to this court showing appellant's current address within 21 days after the date of this order.


General Order 6.3(e)